

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 07-12607

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT April 14, 2008 THOMAS K. KAHN CLERK

D. C. Docket No. 04-80389-CV-JCP

SUSAN WHITEMAN,
f.k.a. Susan Monjardim,

Plaintiff-Appellant,

versus

CINGULAR WIRELESS LLC,
a foreign corporation,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Florida

(April 14, 2008)

Before WILSON, COX and BOWMAN,* Circuit Judges.

PER CURIAM:

* Honorable Pasco M. Bowman II, United States Circuit Judge for the Eighth Circuit,
sitting by designation.

Susan Whiteman appeals the district court's entry of summary judgment in favor of Cingular Wireless on Whiteman's pregnancy discrimination claims under the Florida Civil Rights Act ("FCRA") and Title VII. On appeal, Whiteman argues that (1) pregnancy is a protected characteristic under the FCRA; (2) the district court improperly chose to apply the framework for establishing a prima facie case in reduction in force cases under Title VII; (3) she established a prima facie case of pregnancy discrimination under Title VII; and (4) a genuine issue of material fact exists concerning whether Cingular's legitimate non-discriminatory reason for terminating Whiteman's employment was in fact a pretext for discrimination.

We find that the district court properly applied the law to the facts of this case, and we affirm the district court's entry of summary judgment in Cingular's favor.

AFFIRMED.